

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36112 of 2026

Arising Out of PS. Case No.-266 Year-2025 Thana- KAUWAKOL District- Nawada

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SATISH YADAV @ SATISH KUMAR S/O Darogi Yadav RESIDENT OF
VILLAGE -GUAGHOGHARA, P.S.- KAWAKOL, DISTRICT- NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sheo Nandan Prasad, Advocate Mr. Rajnish Kumar, Advocate Ms. Sweta, Advocate
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 29-06-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 317(4) and 111(4) of the BNS, 2023 read with Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that petitioner has antecedent of three cases out of which one case is under the Excise Act and allegation is of recovery of 750 liters of liquor from ten motorcycles.
4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and is not the



owner of any of the seized vehicles and he came to be implicated based on secret information which is the easiest way to implicate someone. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of *Chowkidar*, local person, confessional statement or secret information without holding a proper investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Trial Court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 15000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Kauwakol P.S. Case No. 266 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than three cases then it would be presumed that petitioner, for the



purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of three cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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